

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP TRUSTEES MEETING

JUNE 27, 2005

Burger called the meeting to order at 4:00 p.m. at the Jackson Township Hall with all Trustees, Clerk, Lyon and Fitzgerald present.

Burger moved and Meeks seconded a motion to go into Executive Session for Land Acquisition – To consider the purchase of property for public purposes, Park Department Personnel (Appointment/Employment/Compensation), Police Department Personnel (Appointment/Employment/Compensation) – Interview police aide applicants, and Fire Department Personnel (Appointment/Employment/Compensation). **3-0 yes**

Upon return from Executive Session, Burger opened the Work Session at 5:30 p.m. with the Fire Chief.

Levy Funding

Heck: Doug Thorn has indicated that it would be a relatively small modification. We're currently bringing in about \$6.4 million from it and with replacement it will bring in about \$6.8, \$6.9. It's going to make things a little interesting, especially if it were a five year levy and whether there would be some consideration from the Board in reducing the number of years that we would make that levy run, allow it to go through reappraisal. We also don't know what's going to happen with the State legislators as they look at the tax structure for the State and what they're going to do. I would question whether we would be successful in going five years even with a replacement levy before we'd be in financial trouble this time. The Board may want to entertain putting it on for less years, allowing us to go back, although I don't find that nice in the sense of planning down the road, but it may affect our financial circumstances that dictate we do that. The alternative is an additional levy and I sure don't want to start breaking into having two levies again. It's allowed us to work very efficiently and very effectively over the last twenty years. We've been able to maintain and grow with the community. We know what our dollars are going to be, and we've been very successful in providing the services and lowering our insurance classification to the benefit of all our residents and commercial businesses in the township. But I think we need to take a look at that and what actions the Board would enjoy doing. Obviously, having three shots at it is better than having two shots. And if we went in November of this year and we're not successful, that would indicate to us what type of actions we have to take in order to make sure the public understands it's the only levy that operates the fire department and if that levy goes away, so do we. There are no dollars that can come in and make up a six and a half to seven million dollar operational budget.

Gonzalez: If the Board would flip to their binders, and look at the budget I will reiterate some of those numbers, under the Clerk section. If you look at number 7 on the fire district fund. Where we show for 2005, which is the second to last column there, there's levy dollars of \$6,472,000 roughly and there's other funds coming back in showing him the total of \$7,400,000 for this

year. What he'll spend out is the bottom line, his carryover is \$333,000. If you slide up to the next column to the right, you see that same number, the \$333,000. His levy, we're freezing those numbers because we don't know where we're at with the State's budget, I don't want to increase that at all. That \$450,000 is transferring everything that he's set aside over the years in his reserve balance account, so we're bringing all that money back in that he's set aside for the last three years of his levy. His budget, total receipts is \$7,300,000 for next year, the bottom line will see it end in 2006, we're only estimating to the budget commission, he's going to have a carryover going into 2007 of only \$16,000. Now he does have his ambulance fund that will help subsidize that. You can see that there's definitely not going to be a big carryover and quite frankly this does demonstrate what we're doing with the police levy, how this works by carrying over that \$450,000 obviously setting that aside for this rainy day that's come into play here. That will give you an idea where we're at with that.

Heck: I just wanted to get in front of the Board with the circumstances we currently have and give you a chance to think about the status that we're in and where we're going. And hopefully in another work session we can start to lean towards the type of direction we want to go to. I think Mr. Gonzalez has hit it on the head, too, we don't know what the State legislators are going to do. If they do cut personal property tax, the fire department alone could lose a half million dollars. And that could have a major, major impact on us in operations.

Gonzalez: We have been promised that we're going to be made whole but we're about 40% lower than what was promised us when they passed the one penny gas tax. We're running about \$40,000 a year less in collections than what the State told us we would get, so I'm a little leery when they're saying we'll be made whole. Until I see that number and see the actual check in hand, we're really not.

Chief Heck also discussed the current practice of sign placement at the fire stations and asked the Board for comments and suggestions. Several suggestions were made regarding signage for advertising within the township. Gonzalez suggested looking into funding to install an electronic sign in front of the Safety Center to be used for emergency weather warnings.

At 6:00 p.m., Burger called the General Session to order with all department heads present. Burger requested that all cell phones and pagers be turned off at this time.

The Pledge of Allegiance was recited.

Public Speaks – None

ATTACHMENT 6/27/05 A

Randy Gonzalez, Clerk, reminded the Board that it has been about a year since entering into the agreement with Dennis Yacobozzi and United American Capital Corporation to manage the Township's investments. In view of the recent investment problems within the State, he asked Mr. Yacobozzi to come and update the Board and residents on the Township's investment policy and the security of those investments. Mr. Yacobozzi, President of United American Capital Corporation then explained the Township's investments, how they work and the growth over the last year.

Administration Department

RESOLUTION 05-042, ATTACHED

Pizzino moved and Meeks seconded a motion to adopt the amended resolution for Park Capital Projects. **3-0 yes**

ATTACHMENT 6/27/05 B

Pizzino moved and Meeks seconded a motion to approve the appropriation transfer request from account code 326.510.5387, Park Capital – Discretionary, to account code 326.510.5658, Park Capital – Equipment, in the amount of \$52,389.00. **3-0 yes**

RESOLUTION 05-043, ATTACHED

Pizzino moved and Meeks seconded a motion to adopt and authorize the placement of the Board President's signature upon the attached Contract with Waikem Ford, Inc. for the purchase of one (1) 2006 Ford F-550 for a total amount of \$31,750.00 which is lower than the price listed in the State Purchasing Contract for the same equipment. **3-0 yes**

RESOLUTION 05-044, ATTACHED

Burger moved and Meeks seconded a motion to adopt and authorize the placement of the Board President's signature upon the attached Contract with Terry's Truck & Trailer for the Purchase of one Truck bed (#304 Stainless Steel), Snow Plow, and Central hydraulic system and under tailgate Salt spreader (Stainless Steel) for a total amount of \$20,639.00. **3-0 yes**

ATTACHMENT 6/27/05 C

Burger moved and Pizzino seconded a motion to adopt and authorize the placement of the Board President's signature upon the attached Labor Day Celebration Fireworks Contract. **3-0 yes**

RESOLUTION 05-045, ATTACHED

Burger moved and Meeks seconded a motion that, pursuant to ORC Section 511.10, we hereby adopt and authorize the placement of our signatures upon the attached Extension of Contract for Employment with Angela M. Gmerek as a Program Director in the Park Department. **3-0 yes**

Highway Department

RESOLUTION 05-046, ATTACHED

Pizzino moved and Burger seconded a motion that we hereby determine that Northstar Asphalt, Inc. is the lowest and best bidder for the Resurfacing Project 2005-A and hereby award a Contract to them in the base bid amount of \$479,751.59 with Alternate 1 in the total amount of \$22,522.49 for a total contract amount of \$502,274.08 in accordance with the Company's proposal and the Specifications and authorize the placement of the Board's signatures on the Contract. **3-0 yes**

ATTACHMENT 6/27/05 D

Burger moved and Pizzino seconded a motion to approve the appropriation transfer request from account code 204.310.5387, Discretionary, to account code 204.310.5606, Resurfacing, in the amount of \$6,000.00. **3-0 yes**

ATTACHMENT 6/27/05 E

Burger moved and Pizzino seconded a motion to adopt and authorize the placement of the Board President’s signature upon the attached Waiver of Notice of Probate of Will. **3-0 yes**

ATTACHMENT 6/27/05 F

Pizzino moved and Meeks seconded a motion to amend the noxious weed policy resolution. **3-0 yes**

ATTACHMENT 6/27/05 G

An amended investment policy was presented for the Board’s consideration.

Police Department

ATTACHMENT 6/27/05 H

Burger moved and Pizzino seconded a motion to hire Lauren K. Baker as a part-time Police Aide, through the temporary service, at the rate of \$8.25 per hour, effective June 28, 2005. **3-0 yes**

Burger moved and Pizzino seconded a motion to hire Diana M. Greenwell as a part-time Police Aide, through the temporary service, at the rate of \$8.25 per hour, effective June 28, 2005. **3-0 yes**

Burger moved and Pizzino seconded a motion to advertise for a full-time Secretary 3 position. **3-0 yes**

Chief Neftzer will begin the process of adding part-time police officers.

Zoning & Planning Department

RESOLUTION 05-047, ATTACHED

Pizzino moved and Meeks seconded a motion that having been informed in writing that noxious weeds are growing on the lands in charge of Regal Construction, in Jackson Township, described as follows: Lot #15 Brook Hollow St. NW, Massillon, Ohio 44646, Parcel No. 1617438, Jackson Township.

Therefore, be it resolved that said Regal Construction, whose tax mailing address is 7239 Wales Rd. N.W., North Canton, Ohio 44720, be notified by serving on them by certified mail with return receipt requested, a written copy of this resolution that said noxious weeds are growing on such lands and that, pursuant to ORC Section 5579.05, they must be cut or destroyed within five (5) days after the service of such notice or show this Board cause why there is no need for doing so. If the owner fails to meet this obligation within the five-day period, the Township will mow at \$150.00 per hour with a \$400.00 minimum charge. **3-0 yes**

RESOLUTION 05-048, ATTACHED

Pizzino moved and Meeks seconded a motion that having been informed in writing that noxious weeds are growing on the lands in charge of Karl Miller, in Jackson Township, described as follows: 8078 Brooke Hollow St. N.W., Lot #11 Gloucester Village, Parcel No. 1617434, Jackson Township.

Therefore, be it resolved that said Karl Miller, whose tax mailing address is First American Real Estate Tax Service, 1721 Moon Lake Blvd. #400, Hoffman Estates, IL 60194, be notified by serving on them by certified mail with return receipt requested, a written copy of this resolution that said noxious weeds are growing on such lands and that, pursuant to ORC Section 5579.05, they must be cut or destroyed within five (5) days after the service of such notice or show this Board cause why there is no need for doing so. If the owner fails to meet this obligation within the five-day period, the Township will mow at \$150.00 per hour with a \$400.00 minimum charge.

3-0 yes

RESOLUTION 05-049, ATTACHED

Meeks moved and Pizzino seconded a motion that having been informed in writing that noxious weeds are growing on the lands in charge of MJC Investment LLC, in Jackson Township, described as follows: 23NW, .45 acres Brunnerdale Ave. NW, Canton, Ohio 44718, Parcel No. 1623509, Jackson Township.

Therefore, be it resolved that said MJC Investments LLC, whose tax mailing address is 6093 Cherry Blossom Circle NW, North Canton, Ohio 44720, be notified by serving on them by certified mail with return receipt requested, a written copy of this resolution that said noxious weeds are growing on such lands and that, pursuant to ORC Section 5579.05, they must be cut or destroyed within five (5) days after the service of such notice or show this Board cause why there is no need for doing so. If the owner fails to meet this obligation within the five-day period, the Township will mow at \$150.00 per hour with a \$400.00 minimum charge.

3-0 yes

RESOLUTION 05-050, ATTACHED

Meeks moved and Pizzino seconded a motion that having been informed in writing that noxious weeds are growing on the lands in charge of Blood Family Realty LTD, in Jackson Township, described as follows: 7900 Cambridge St. NW, Massillon, Ohio 44646, Parcel No. 1603294, Jackson Township.

Therefore, be it resolved that said Blood Family Realty LTD., whose tax mailing address is First American Real Estate Service (Farets), 1721 Moon Lake Blvd. #400, Hoffman Estates, IL 60194, be notified by serving on them by certified mail with return receipt requested, a written copy of this resolution that said noxious weeds are growing on such lands and that, pursuant to ORC Section 5579.05, they must be cut or destroyed within five (5) days after the service of such notice or show this Board cause why there is no need for doing so. If the owner fails to meet this obligation within the five-day period, the Township will mow at \$150.00 per hour with a \$400.00 minimum charge.

3-0 yes

RESOLUTION 05-051, ATTACHED

Meeks moved and Pizzino seconded a motion that having been informed in writing that noxious weeds are growing on the lands in charge of SFJV-2002-1 LLC, in Jackson Township, described as follows: 8470 Shadyview NW, Clinton, Ohio 44216-9517, Parcel No. 1604991, Jackson Township.

Therefore, be it resolved that said SFJV-220-1 LLC, whose tax mailing address is First American Real Estate Service (Farets), 1721 Moon Lake Blvd. #400, Hoffman Estates, IL 60194, be notified by serving on them by certified mail with return receipt requested, a written copy of this resolution that said noxious weeds are growing on such lands and that, pursuant to ORC Section 5579.05, they must be cut or destroyed within five (5) days after the service of such notice or show this Board cause why there is no need for doing so. If the owner fails to meet this obligation within the five-day period, the Township will mow at \$150.00 per hour with a \$400.00 minimum charge.

3-0 yes

Clerk's Office

ATTACHMENT 6/27/05 I

Meeks moved and Pizzino seconded a motion to pay the bills in the amount of \$434,940.86.

3-0 yes

ATTACHMENT 6/27/05 J

Meeks moved and Pizzino seconded a motion to approve the minutes of the June 13, 2005 Board of Trustees meeting.

3-0 yes

RESOLUTION 05-052, ATTACHED

Meeks moved and Pizzino seconded a motion to establish the 2006 Tax Budget Public Hearing on July 11, 2005 at 7:00 p.m. and authorize the Township Clerk to publish the attached legal notice of said hearing required by law.

3-0 yes

ATTACHMENT 6/27/05 K

Meeks moved and Pizzino seconded a motion to request advance of taxes from Stark County Auditor.

3-0 yes

RESOLUTION 05-054

Meeks moved and Burger seconded a motion to approve the attached advance of cash of \$230,893.90 from General Fund 101 to Police Fund 209, with an expectation that this amount will be repaid to General Fund 101 from Police Fund 209 when Police Department 2005 tax year levy monies become available in 2006.

Meeks yes
Burger yes
Pizzino yes

ATTACHMENT 6/27/05 L

Meeks moved and Pizzino seconded a motion to approve the appropriation transfer request from account code 101.110.5387, Discretionary, to account code 101.150.5956, Transfer #209-Police, in the amount of \$230,893.90.

3-0 yes

Central Maintenance

Pizzino asked Moore about the roof repairs on the highway department building and the release of funds. Moore updated the Board on the repair and assured the Board that the funds would not be released until repairs and inspection were completed.

Routine Business

Announcements

- Next regular Board of Trustees meeting, July 11, 2005, 4:00 p.m. Executive Session and/or Work Session, 6:00 p.m., General Session, Township Hall.
- LOGIC, July 7, 2005, 9:00 a.m., Safety Center, Chiefs' Conference Room.
- CIC, August 1, 2005, 5:45 p.m., Township Hall.
- Board of Zoning Appeals, July 14, 2005, 7:00 p.m., Township Hall.
- Zoning Commission Work Session, June 30, 2005, 5:00 p.m., Township Hall.
- Citizens Advisory Committees:
 - Community Celebration, July 6, 2005, 6:00 p.m., Township Hall.
 - Park, July 19, 2005, 6:30 p.m., Township Hall.
 - Highway/Traffic, August 17, 2005, 6:30 p.m., Township Hall.

At 7:00 p.m., Burger opened the public hearing on the nuisance violation at 3809 Michael Drive NW, owner Carl Chappie. Mr. Phillippi summarized the clean-up history of the property since the December fire.

Meeks moved and Pizzino seconded a motion to abate the nuisance with the modification that the notice be sent by certified mail and personally served. **3-0 yes**

New Business

Meeks moved and Pizzino seconded a motion not to object to the Ohio Division of Liquor Control Notice for Geisen Haus Inc., 6955 Promway Avenue NW requesting a stock transfer. **3-0 yes**

Burger moved and Pizzino seconded a motion to accept a \$2,000 donation to the Park Department from the Jackson Girls Softball League. **3-0 yes**

Burger moved and Pizzino seconded a motion to accept a \$10 donation to the Park Tree Fund in memory of Tess Criswell from Mr. & Mrs. George Johnson. **3-0 yes**

Public Speaks – Open Forum

No one came forward.

Pizzino moved and Meeks seconded a motion to adjourn.

3-0 yes

William Burger

Randy Gonzalez